

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALFRED CENTOFANTI,

Plaintiff,

v.

THE STATE OF NEVADA EX REL THE
NDOC, *et al.*,

Defendants.

Case No. 2:21-cv-00024-RFB-NJK

ORDER

(Docket No. 17)

I. DISCUSSION

Plaintiff has filed a third request for an extension to file an amended complaint. Docket No. 17. The Court previously granted Plaintiff's second motion for an extension based on Plaintiff's representation that he was in settlement talks regarding a state court lawsuit, and that any settlement would encompass this case. Docket No. 16.

In this third request for an extension, Plaintiff submits that, due to a combination of COVID-19, and technical difficulties, he has not been able to communicate with counsel for the Nevada Department of Corrections. Docket No. 17 at 2. Plaintiff further submits that counsel for the Nevada Department of Corrections has requested an extension for a status check in the state court case so that the parties could continue their settlement discussions. *Id.* Based on Plaintiff's representation of ongoing settlement discussions, the Court will grant Plaintiff's request for a third extension.

The Court notes that Plaintiff further submits that he has been unable to do legal research because the law library at High Desert State Prison has been shut down due to COVID-19, and Plaintiff does not want to disclose the medical details of his case to inmate law library assistants. *Id.* at 3. Plaintiff does not, however, need to cite to any caselaw in his amended complaint. Rather, Plaintiff need only allege the facts behind the alleged constitutional violations. As such, the Court will not grant any further extensions based on ongoing issues with the law library.

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1 Barring unusual circumstances, the Court does not anticipate granting any further
2 extensions. Pursuant to the Court's previous screening order, if Plaintiff fails to file a timely
3 amended complaint, this case will be subject to dismissal without prejudice for failure to state a
4 claim. *See* Docket No. 8.

5 **II. CONCLUSION**

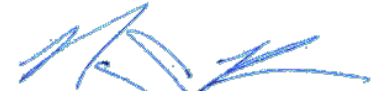
6 For the foregoing reasons,

7 IT IS ORDERED that Plaintiff's motion for an extension to file an amended complaint,
8 Docket No. 17, is **GRANTED**.

9 IT IS FURTHER ORDERED that Plaintiff must file any amended complaint on or before
10 **June 6, 2022**.

11 IT IS FURTHER ORDERED that, if Plaintiff fails to file a timely amended complaint, this
12 case will be subject to dismissal without prejudice for failure to state a claim.

13 DATED: March 29, 2022.

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16 NANCY J. KOPPE
17 UNITED STATES MAGISTRATE JUDGE
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